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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,210

02/03/2006

Hendrikus Martinus Wilhelmus Goossens

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

WENDELL, ANDREW

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

10/22/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/567,210

**Applicant(s)**

GOOSSENS ET AL.

**Examiner**

Andrew Wendell

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. It is noted that this application appears to claim subject matter disclosed in prior Application No. PCT/IB04/51353 and EPO 03102478.9, filed 8/2/2004 and 8/8/2003. A reference to the prior application must be inserted as the first sentence(s) of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e), 120, 121, or 365(c). See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, 121, or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. If the application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference to the prior application must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of

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such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A benefit claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed benefit claim under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monod et al. (US Pat# 5,293,400) in view of Thomas et al. (WO 95/07521).

Regarding claim 1, Monod teaches a bidirectional inductive channel 20 (Fig. 1) between the first device 10 (Fig. 1, left box) and the second device 10 (Fig. 1, right box), first transmission means 12 and 16 (Fig. 1, left box) for transmitting a power signal at a first frequency from the first device to the second device 10 (Fig. 1, left box) over the inductive channel 20 (Fig. 1), a first modulating device 12 and 16 (Fig. 1, left box) for modulating a first data signal at a first modulation frequency, a second modulating device 12 and 16 (Fig. 1, right box) for modulating a second data signal at a second modulation frequency (Monod does not specifically teaches a second frequency, but it would be obvious that the oscillator can be set at a different frequency from the other device), second transmission means 12 and 16 (Fig. 1, right box) for transmitting the modulated first data signals from the first device to the second device over the inductive channel 20 (Fig. 1), and for transmitting the modulated second data signals from the second device to the first device over the inductive channel, wherein the first modulation frequency and the second modulation frequency are at least a factor two apart (Again, Monod does not specifically teaches a second frequency by a factor of two but it is

obvious this can be set with the oscillator to obtain a factor of two), wherein the transmission system furthermore comprises detection means for demodulating 24 (Fig. 1) the first data signal and the second data signal on the first device 10 (Fig. 1, left box) side respectively on the second device 10 (Fig. 1, right box) side, and signal cancellation means 28 (Fig. 1) for cancellation of the first data signal respectively second data signal from the transmitted second data signal respectively transmitted first data signal at the first device 10 (Fig. 1, left box) side respectively second device 10 (Fig. 1, right box) side. Monod fails to clearly teach a second frequency being different from the first frequency.

Thomas teaches a bidirectional inductive channel (Fig. 1) between the first device and the second device, first transmission means for transmitting a power signal at a first frequency from the first device to the second device over the inductive channel (Fig. 1), a first modulating device for modulating a first data signal at a first modulation frequency (Fig. 1), a second modulating device for modulating a second data signal at a second modulation frequency (abstract, page 4 lines 1-3), second transmission means for transmitting the modulated first data signals from the first device to the second device over the inductive channel (abstract, page 4 lines 1-3), and for transmitting the modulated second data signals from the second device to the first device over the inductive channel, wherein the first modulation frequency and the second modulation frequency are at least a factor two apart (this is even more obvious in Thomas because both frequencies are clearly different and therefore it is obvious that they can be set apart by a factor of 2).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a second frequency being different from the first frequency as taught by Thomas into Monod's apparatus in order to make installations easier (Page 2 lines 4-26).

Regarding claim 2, the combination including Monod teaches wherein the first modulating device and the second modulating device are suitable for performing amplitude modulation (Col. 4 lines 12-25).

Regarding claim 4, the combination including Thomas teaches wherein the first frequency is a factor 10 or more apart from the first and second modulation frequency (Thomas teaches both frequencies are clearly different in the abstract and page 4 lines 1-3, therefore it is obvious that they can be set apart by a factor of 10).

Regarding claim 5, the combination including Monod teaches wherein the first transmission means comprises a first coil 20 (Fig. 1, left box) at the first device side and a first coil 20 (Fig. 1) at the second device side 10 (Fig. 1, right box).

Regarding claim 6, the combination including Monod teaches wherein the second transmission means 10 (Fig. 1, right box) comprises a second coil 20 (Fig. 1) at the first device 10 (Fig. 1, left box) side and a second coil 20 (Fig. 1) at the second device 10 (Fig. 1, right box) side.

Regarding claim 7, method claim 7 is rejected for the same reason as apparatus claim 1 since the recited elements would perform the claimed steps.

Regarding claim 8, method claim 8 is rejected for the same reason as apparatus claim 2 since the recited elements would perform the claimed steps.

4. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monod et al. (US Pat# 5,293,400) in view of Thomas et al. (WO 95/07521) and further in view of Briles et al. (US Pat# 6,766,141).

Regarding claim 3, Monod in view of Thomas teaches the limitations in claim 1. Monod and Thomas fail to teach synchronous detection means.

Briles wherein the detection means are synchronous detection means (Col. 7 lines 8-10).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate synchronous detection means as taught by Briles into a second frequency being different from the first frequency as taught by Thomas into Monod's apparatus in order to reduce energy consumptions in the transmission (Col. 1 lines 61-63).

Regarding claim 9, method claim 9 is rejected for the same reason as apparatus claim 3 since the recited elements would perform the claimed steps.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Andrew Wendell  
Examiner  
Art Unit 2618

10/12/2007



**NAY MAUNG**  
**SUPERVISORY PATENT EXAMINER**